

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

TIMOTHY SARVIS,

*

Plaintiff,

*

v.

*

Civil Action No. 05 CV2411

METABOLIFE INTERNATIONAL, INC., *

et al.,

*

Defendants.

*

*

*

*

*

*

*

*

*

*

*

*

STATEMENT REGARDING REMOVAL

Defendant, The Chemins Company, Inc. ("Chemins"), by its attorneys, Kristine A. Crosswhite, Susan E. Smith, and Crosswhite, Limbrick, & Sinclair, LLP, hereby files this statement regarding the removal of this case from the Circuit Court of Baltimore City to this Honorable Court, pursuant to the Standing Order Concerning Removal, and states:

1. Chemins was served with a copy of the Summons and Complaint on or about August 15, 2005. Metabolife International, Inc. was served with a copy of the Summons and Complaint on or about August 15, 2005. Alpine Health Products was served with a copy of the Summons and Complaint on or about August 15, 2005. Rite Aid Corporation has not yet been served.

2. This action is predicated on diversity jurisdiction. According to the plaintiff's Complaint, all of the defendants are out-of-state corporations: Chemins is a Colorado corporation; Metabolife is a California corporation; Alpine Health Products is a Utah business entity; and Rite Aid Corporation is a Pennsylvania corporation. This defendant has no knowledge that any of the defendants are citizens of Maryland.

3. Not applicable, as this action was removed to this Honorable Court within thirty days after the date when this defendant was served, and prior to the date when the other defendants were served.

4. Not applicable, as the state court action did not commence more than one year prior to the removal.

5. None.

Respectfully submitted,

/s/

Kristine A. Crosswhite (# 07771)
Susan E. Smith (# 26253)
Crosswhite, Limbrick & Sinclair, LLP
Lake Falls Professional Building
6115 Falls Road, Suite LL-B
Baltimore, Maryland 21209
(410) 377-9311 (phone)
(410) 377-9312 (fax)

Attorneys for Defendant,
The Chemins Company, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of September 2005, copies of the foregoing STATEMENT REGARDING REMOVAL were mailed first-class, postage prepaid to:

Dennis F. O'Brien, P.A.
Foard, Gisriel, O'Brien & Ward, LLC
29 W. Susquehanna Avenue, Suite 302
Towson, Maryland 21204

Kevin D. Wise, Esquire
Law Office of Kowitz, Wise & St. Laurent
2 North Charles Street, Suite 330
Baltimore, Maryland 21201

Metabolife International, Inc.
5643 Copley Drive
San Diego, California 92111

Alpine Health Products, LLC
1525 W. Business Park Drive
Orem, Utah 84058

Rite Aid Corporation
30 Hunter Lane
Camp Hill, Pennsylvania 17011

/s/

Kristine A. Crosswhite (# 0771)
Susan E. Smith (# 26253)
Crosswhite, Limbrick & Sinclair, LLP
Lake Falls Professional Building
6115 Falls Road, Suite LL-B
Baltimore, Maryland 21209
(410) 377-9311 (phone)
(410) 377-9312 (fax)

Attorneys for Defendant,
The Chemins Company, Inc.